



**Department of the Army
US Army Community and Family Support Center
4700 King Street
Alexandria VA 22302-4415**

CFSC-NC

8 January 2001

MEMORANDUM FOR ALL NAF CONTRACTING 1102 CAREER PERSONNEL

SUBJECT: Positive Education Requirement

1. Many of you have heard that the Defense Appropriations Act for 2001 now requires that contracting personnel in the 1102 series have both a Bachelor's degree and 24 hours of business courses, if you are to award contracts above the Simplified Acquisition threshold (\$100,000).
2. Specifically, it is the enactment of provisions of H.R. 5408, The Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001, Sec. 808, Qualifications Required for Employment and Assignment in Contracting Positions. What the Act does is modify the current law and makes it more stringent by requiring both the degree and the 24 semester hours of business courses; however, it allows for exceptions and waivers under sections c and d. The Act also states the effective date was October 1, 2000.
3. We have received numerous questions from the field asking if the Act applies to NAF 1102 positions. I have been in contact with the proponent for the contracting career field within the Army and DDACM for the Army. That office has coordinated with DDP and OSD legal counsel, both concur that the Defense Acquisition Workforce Improvement Act (DAWIA) and Sec. 808 do not apply to NAF personnel unless "1102 career field employees working in NAF offices are federal civil service employees paid with appropriated funds." In those cases, the full standards would apply.
4. I have also been in contact with ASA M&RA's NAF Personnel Office. What's happening with us has its origin in law, but is the result of policy. It is the Army's policy to apply positive education requirements, and the 1102 series now has a positive education requirement. Under the pay banding system, it is also policy to apply positive educational requirements to professional series.
5. No date has been established to implement the new requirement for NAF nor have we received any definitive guidance from either OSD or DA on how to implement it. Since OSD has not yet released implementing instructions for the APF side of the house, we are working with the NAF Personnel Office to assess the impact. We will work closely with that office in any decision/implementation on how the Act will be applied to our NAF workforce.
6. We will keep you informed. In the meantime, the bottom line: Until the Act is adopted and implemented for NAF, the positive education requirement does not apply to NAF contracting personnel.

**JOHN C. MCLAUGHLIN
Director, NAF Contracting**